

September 19, 2015

Ms. Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Re: Wireless Telecommunications Bureau and Office of Engineering and Technology Seek Comment on Petitions for Rulemaking Regarding the Citizens Broadband Radio Service, GN Docket No. 12-354, RM-11788, RM-11789

Use of Spectrum Bands Above 24 GHz for Mobile Radio Services, *et al*, GN Docket No. 14-177, IB Docket Nos. 15-256 & 97-95, WT Docket No. 10-112, RM-11664

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, *et al*, GN Docket No. 12-268, ET Docket Nos. 14-165 & 16-56, MB Docket No. 15-146

Dear Ms. Dortch:

On September 15, 2017, Harold Feld and Phillip Berenbroick of Public Knowledge (“collectively, Public Knowledge”) met with Julius Knapp, Ronald Repasi, Jamison Prime, and Karen Rackley of the Federal Communications Commission’s (“Commission”) Office of Engineering and Technology (“OET”) regarding matters in the above-captioned proceedings.

Public Knowledge explained that the Commission should reject changes to the Citizens Radio Broadband Service licensing rules in the 3.5 GHz band. The record contains diverse and overwhelming opposition to proposals to change the Priority Access License rules as proposed by T-Mobile and CTIA. Further, there is no support in the record for the proposal to eliminate the spectrum allocated for General Authorized Access. Billions of dollars in capital are ready to be invested in the 3.5 GHz band under the current rules. The Commission should not delay putting the band to productive use – by both licensed and unlicensed users – in order to relitigate long-settled issues that would merely benefit a single business model at the expense of competitors, innovative uses of the spectrum, and the public interest.

Public Knowledge also urged the Commission to quickly finalize its sharing rules for the 37-37.6 gigahertz frequencies (“Lower 37 GHz Band”) proposed in the *Spectrum Frontiers Order* and *FNPRM* that would authorize access to the Lower 37 GHz Band by rule and make the band available to both Federal and non-Federal users on a coordinated, co-equal basis. Finalizing the sharing rules for the band will drive investment and innovation in the Lower 37 GHz Band, which has the potential to bring new, competitive broadband choices to consumers in densely populated areas. The Commission should delay no longer.

Finally, Public Knowledge urged the Commission to ensure three 6 megahertz television channels are left available for use as television white spaces (“TVWS”) following the repack of the remaining television broadcasters. The Commission should maintain its rules that enable TVWS devices to operate in Channel 37, as well as within the 600 MHz Band duplex gap. The Commission should also preserve one vacant channel in each market for TVWS use.

In accordance with Section 1.1206(b) of the Commission’s rules, an electronic copy of this letter is being filed in the above-referenced docket. Please contact me with any questions regarding this filing.

Sincerely,

/s/ Phillip Berenbroick

Senior Policy Counsel
Public Knowledge

cc: Julius Knapp
Ronald Repasi
Jamison Prime
Karen Rackley